

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

RITA M. CLARK,	:	
	:	CASE NO. 1:11-CV-00995
Plaintiff,	:	
	:	
vs.	:	OPINION & ORDER
	:	[Resolving Doc. No. 1 , 19]
COMMISSIONER OF SOCIAL	:	
SECURITY,	:	
	:	
Defendant.	:	
	:	

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On May 18, 2012, Plaintiff Rita M. Clark filed a complaint seeking review of the Defendant Commissioner of Social Security's decision to deny her application for disability benefits. [[Doc. 1](#).] The matter was referred to Magistrate Judge Kathleen B. Burke pursuant to Local Rule 72.2. On June 5, 2012, Magistrate Judge Burke issued a Report and Recommendation recommending that this Court affirm the Commissioner's decision. [[Doc. 19](#).] Neither party objected to Judge Burke's recommendation.

The Federal Magistrates Act requires a district court to conduct a *de novo* review of only those portions of a Report and Recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a Report and Recommendation within fourteen days of service. [Id.](#); [Fed. R. Civ. P. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the magistrate's report. [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United](#)

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States v. Walters, 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt the magistrate judge's report without review. See Thomas, 474 U.S. at 149.

In this case, neither party has objected to the Magistrate Judge's recommendation. Additionally, having reviewed the record, the Court agrees with Magistrate Judge Burke that substantial evidence supports the Commissioner's denial of benefits. Accordingly, the Court **ADOPTS** in whole Magistrate Judge Burke's Report and Recommendation and incorporates it fully herein by reference, and **DISMISSES** Plaintiff Clark's complaint.

IT IS SO ORDERED.

Dated: August 13, 2012

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE